

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION

IN RE: ORDALIZA GUZMAN,	{ CHAPTER 13
	{
	{
DEBTOR(S)	{ CASE NO. R22-40562-PWB
	{
	{ JUDGE BONAPFEL

**OBJECTION TO CONFIRMATION**

COMES NOW K. EDWARD SAFIR, CHAPTER 13 TRUSTEE herein, and objects to Confirmation of the plan for the following reasons:

1. The above-styled case was filed originally as a Chapter 7 case; consequently, based on the aforesaid objections to confirmation, the Chapter 13 Trustee respectfully prays that the instant case be denied confirmation, and re-converted to a Chapter 7 proceeding, pursuant to 11 U.S.C. § 1307(c).
2. The Debtor(s)' payments under the proposed plan are not current.
3. Debtor(s) has not filed a statement of current monthly income and calculation of commitment period and disposable income as required by 11 U.S.C. § 1325(b)(3) and Fed. R. Bankr. P. 1007(b)(6).
4. Though the proposed Chapter 13 plan includes provisions in Sections 3.2, 3.4, and 4.4, the appropriate box has not been checked in Section 1.1 through 1.4 possibly rendering those provisions ineffective.
5. The Chapter 13 Plan fails to provide the collateral for the claim of New American Funding, preventing the Trustee from properly administering this plan.
6. Schedule A/B fails to accurately reflect the fair market value of and/or debt load on the Debtor's(s') real property; specifically, the Debtor testified that her residence has a fair market value of approximately \$180,000.00. The Trustee requests further evidentiary support for the valuation of the Debtor's real property.

K. Edward Safir, Chapter 13 Trustee  
285 Peachtree Center Ave, NE  
Suite 1600  
Atlanta, GA 30303  
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[albertg@atlch13tt.com](mailto:albertg@atlch13tt.com)

7. As unsecured creditors may receive less than in a Chapter 7 liquidation, the plan may not conform to 11 U.S.C. Section 1325(a)(4).

WHEREFORE, the Trustee moves the Court to inquire into the above objections, deny Confirmation of this Debtor's (s') Plan and to dismiss the case; or, in the alternative, convert the case to one under Chapter 7.

\_\_\_\_\_/s/  
Albert C. Guthrie, Attorney  
for Chapter 13 Trustee  
GA Bar No. 142399

K. Edward Safir, Chapter 13 Trustee  
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R22-40562-PWB

**CERTIFICATE OF SERVICE**

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

ORDALIZA GUZMAN  
1203 FOSTER STREET  
DALTON, GA 30721-3919

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

SAEGER & ASSOCIATES, LLC

This 17th day of August, 2022  
\_\_\_\_\_  
/s/

Albert C. Guthrie, Attorney  
for Chapter 13 Trustee  
State Bar No. 142399

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